

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

- against -

ALPINE SECURITIES CORPORATION,

Defendant.

17-cv-4179-DLC

ECF CASE

**[REVISED PROPOSED] PERMANENT INJUNCTION AND FINAL JUDGMENT
AGAINST ALPINE SECURITIES CORPORATION**

The Court, having entered Opinions and Orders finding that Alpine Securities Corporation (“Defendant”) violated Section 17 of the Securities Exchange Act of 1934 (the “Exchange Act”) [15 U.S.C. § 78q(a)] and Rule 17a-8 thereunder [17 C.F.R. § 240.17a-8], and on September 12, 2019, having ordered that a permanent injunction will be entered against Defendant and that Defendant shall pay a civil penalty in the amount of \$12,000,000:

I.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendant is permanently restrained and enjoined from violating Section 17 of the Exchange Act [15 U.S.C. § 78q(a)], and Rule 17a-8 promulgated thereunder [17 C.F.R. § 240.17a-8], by acting as a registered broker or dealer who is subject to the requirements of the Currency and Foreign Transactions Reporting Act of 1970 and failing to comply with the reporting, recordkeeping and record retention requirements of chapter X of title 31 of the Code of Federal Regulations. Defendant is permanently restrained and enjoined from failing to, where chapter X of title 31 of the Code of Federal Regulations and § 240.17a-4 require the same records or reports to be

preserved for different periods of time, preserving such records or reports for the longer period of time.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, as provided in Federal Rule of Civil Procedure 65(d)(2), the foregoing paragraph also binds the following who receive actual notice of this Final Judgment by personal service or otherwise: (a) Defendant's officers, agents, servants, employees, and attorneys; and (b) other persons in active concert or participation with Defendant or with anyone described in (a).

II.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant shall pay a civil penalty in the amount of \$12,000,000 to the Securities and Exchange Commission pursuant to Section 21(d) of the Exchange Act [15 U.S.C. § 78u(d)]. Defendant shall make this payment within 30 days after entry of this Final Judgment.

Defendant may transmit payment electronically to the Commission, which will provide detailed ACH transfer/Fedwire instructions upon request. Payment may also be made directly from a bank account via Pay.gov through the SEC website at <http://www.sec.gov/about/offices/ofm.htm>. Defendant may also pay by certified check, bank cashier's check, or United States postal money order payable to the Securities and Exchange Commission, which shall be delivered or mailed to

Enterprise Services Center
Accounts Receivable Branch
6500 South MacArthur Boulevard
Oklahoma City, OK 73169

and shall be accompanied by a letter identifying the case title, civil action number, and name of this Court; Alpine Securities Corporation as a defendant in this action; and specifying that payment is made pursuant to this Final Judgment.

Defendant shall simultaneously transmit photocopies of evidence of payment and case identifying information to the Commission's counsel in this action. By making this payment, Defendant relinquishes all legal and equitable right, title, and interest in such funds and no part of the funds shall be returned to Defendant. The Commission shall send the funds paid pursuant to this Final Judgment to the United States Treasury. Defendant shall pay post-judgment interest on any delinquent amounts pursuant to 28 USC § 1961.

III.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that to the extent that the Commission alleged violations of Exchange Act Section 17(a) [15 U.S.C. § 78q(a)] and Rule 17a-8 [17 C.F.R. § 240.17a-8] by the Defendant in this action for which it did not obtain summary judgment and on which it elected not to proceed to trial, the Commission's claims as to those alleged violations are dismissed with prejudice.

Dated: _____, _____

DENISE COTE
UNITED STATES DISTRICT JUDGE